



**COPYRIGHT ROYALTY TRIBUNAL**  
UNITED STATES OF AMERICA

1111 20th Street, N.W.  
Washington, D.C. 20036  
(202) 653-5175

*Check*

**COMMISSIONERS:**  
Thomas C. Brennan  
Douglas E. Coulter  
Mary Lou Burg  
Clarence L. James, Jr.  
Frances Garcia

January 21, 1981

John Cordes, Esq.  
Civil Division  
Appellate State  
Department of Justice  
Washington, D.C. 20530

Dear Mr. Cordes:

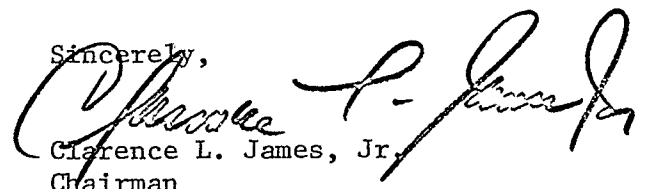
Pursuant to your request of yesterday, please find enclosed the transcripts for December 18 and 19 in CRT Docket No. 80-2. Also please find a new Petition for Review filed by the National Cable Television Association resolving our final decision in CRT Docket No. 80-3. I am also enclosing additional papers by intervenors on the two previously filed cases.

In addition I am sending the Certificate of the record in CRT Docket No. 80-1. The Certificate of the record in the mechanical case, CRT Docket No. 80-2, is complete except for the Final Determination. It now appears that we will have the determination completed and over to the Federal Register no later than next Wednesday, January 28. If you need that Certificate prior to the 28th, please advise as I can forward it to you immediately.

In a telephone conversation with you yesterday you indicated that Cary Sherman of Arnold & Porter, who represents RIAA in the mechanical royalty proceeding, had called you to inquire whether or not two executive sessions of the Tribunal would be included in the record. I referred the matter of the executive sessions to my fellow Commissioners who decided unanimously that the executive sessions, although convened to consider a matter possibly relating to the integrity of the Tribunal's mechanical royalty proceeding, are not part of the mechanical rule-making proceeding. It is the opinion of the Tribunal that the executive sessions were conducted under our inherent powers as an independent agency to conduct such proceedings as are deemed necessary.

It is further the unanimous determination of the Tribunal that said executive sessions should not be included in the Certificate nor will they be reflected in our opinion for the aforesaid reasons.

Sincerely,

  
Clarence L. James, Jr.  
Chairman

Enclosures



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CERTIFICATE

In the Matter of: Docket No. CRT 80-2

Compulsory License for Making and Distributing Phonorecords  
(Mechanical); Royalty Adjustment Proceeding.

I certify that the attached is a complete listing of the  
text of the official notices, and a listing of pleadings,  
hearings, exhibits and motions.

Clarence L. James, Chairman  
January 26, 1981